

	Abilene Police Department Operating Procedures			
	Subject: <i>Use of Firearms</i>	Issued: 07/30/2021	TSP: 6.06	Number: D-19

## Definition

An officer involved shooting is defined as a discharge of a weapon by an officer that results in injury to any person or discharging a firearm at a person. A shooting that does not result in injury to any person or damage to property shall still be thoroughly investigated.

It is the policy of this department that officer-involved shootings, whether on or off-duty, be investigated so as to determine whether officer actions conform to law and this Department's policies, procedures, rules, and training.

## Notifications

Fire and EMS should be notified and requested to provide life-saving measures as appropriate. Additionally, the ranking supervisor or non-involved officer will notify the Department's chain of command to include the Chief of Police or his/her designee of any officer involved shooting.

## Officer(s) Responsibilities

- A. Scene security should be a priority. All officers should ensure the scene is secure; including handcuffing the suspect responsible for the officer involved shooting (OIS). Responding officers should clearly establish from the involved officer(s) whether additional suspects are involved, and thereafter communicate any suspect descriptions and locations.
- B. Once scene security is established, officers should provide medical attention to all injured persons until Fire/EMS arrives.
- C. If one is not present, officers should request a supervisor respond to the scene.
- D. If suspects are located, they should be secured and separated.
- E. The involved officer should be removed from the immediacy of the incident scene to an off-site location, preferably the police department.
- F. Officers should secure the incident scene by marking it in accordance with evidence procedures. Officers shall protect evidence from loss, destruction or damage.
- G. Unless safety issues warrant, officers shall not remove or alter any weapons used by either involved officer(s) or suspects. Do not open, reload, unload, or remove shell casings.
- H. Officers shall not relay information to media.
- I. Officers shall not relay information to any persons not actively involved in the incident, to include family/friend/spouse, etc.

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## Supervisor Responsibilities

- A. The first responding supervisor should ensure the scene is secure and that injured persons receive medical attention.
- B. After medical attention is rendered and injured persons are transported, a supervisor will ensure all recording devices stop recording, including dash-cam videos.
- C. A supervisor will contact the involved officer and ask public safety questions that will guide the follow-up investigation. This conversation should not be recorded. Information collected should help focus the initial police response and direct the preliminary investigation. This information can include:
  1. Type of force used;
  2. Direction and approximate number of shots fired by officers and suspects;
  3. Location of injured persons;
  4. Description of at-large suspects and their direction of travel, time elapsed since the suspects were last seen, and any suspect weapons;
  5. Description and location of any known victims or witnesses;
  6. Description and location of any known evidence; and
  7. Any other information necessary to ensure officer and public safety and to assist in the apprehension of at-large suspects.
- D. A supervisor should assign another officer of the same gender to the involved officer to serve as a companion / liaison. If multiple officers are involved, different officers will be assigned to each employee.
  1. If an officer is transported to the hospital, ensure that the companion officer accompanies or meets him or her there.
  2. The companion officer should provide all reasonable support to the involved officer and act as liaison between the officer and the hospital.
  3. Companion officers are not tasked with explaining processes, procedures, or offering previous experiences. Instead, companion officers will act as liaisons between the involved officer and other members of the Department.
- E. Officer involved weapons should remain in the condition that they were discovered by the supervisor / responding officer(s). Weapon attachments should remain attached, pursuant to how the weapon was discovered. Weapons used by assailants should remain in place and handled by follow-up investigators in accordance with evidentiary best practices.
- F. A supervisor/Range Master shall issue the involved officer another duty firearm and magazines to replace any seized weapon.
- G. All seized weapons will be processed as evidence and will not be taken to the Range and fired to ensure functionality.
- H. A supervisor will ensure the companion officer(s) accompanies the involved officer(s) to the police department.

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- I. Personnel from the Office of Professional Accountability will ensure a urinalysis is conducted of the involved officer(s) when the discharge of a firearm results in an injury to any person or the discharge of a firearm toward any person.
- J. A supervisor will remain on scene until investigative personnel arrive.

### **Administration Responsibilities**

- A. Administration shall respond to an OIS.
- B. Administration will interview on-scene officers and supervisors (those not involved in the actual officer involved shooting) to ensure Administration has firm knowledge of the incident.
- C. Administration will manage all media inquiries. Involved officer's names will not be released pending investigation.
- D. Administration will place the involved officer(s) on paid administrative leave pending investigation.
- E. Administration will ensure a criminal investigation is conducted.
- F. Administration will ensure an internal investigation is conducted, either concurrent to the criminal investigation or following the criminal investigation.
- G. Administration will ensure an assigned police association representative remains an advocate for the involved officer and serves as a point of contact for those involved, in lieu of departmental employees directly contacting those involved in the OIS.
- H. Administration will ensure the involved officer(s) receive counseling.

### **Investigation**

Trained personnel should be assigned to investigate officer involved shootings. Additionally, the Department should consider contacting an outside agency (TX Rangers / DA's Office) to conduct an independent investigation.

### **Discharges and Animals (TBP 6.06)**

In each instance an officer in a duty related firearm discharge shall immediately notify his/her supervisor. An officer may discharge a firearm in such a manner as to cause the death of an animal the officer reasonably believed to be a public health danger. This discharge must be done in a safe manner in order to prevent property damage or injury to others. The officer shall verbally report the firearm discharge to his/her immediate supervisor. The supervisor will require that a Use of Force Form be prepared. A use of force form and review of the discharge of a firearm by an employee is not required in training and recreational situations. A Guardian entry should also be made by the officer's supervisor.

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### **Improper Discharge of Weapons**

If injury or damage to property results from a firearm discharge, the investigating supervisor shall complete a City of Abilene report and Use of Force form (Injury only) and forward to the appropriate Assistant Chief and Use of Force Board Chairman. Other necessary actions, such as securing the area, notifying the owners of the property, etc., should be taken by the supervisor at the appropriate time. Photographs should be taken and the incident fully investigated. An entry into Guardian will be completed.

If, in the opinion of the Investigating supervisor, the firearm discharge was improper and no death or damage to property resulted from the firearm discharge, the supervisor may require only a letter be prepared and forwarded to Police Administration to complete the Department's investigation of the incident. An entry into Guardian will be completed.

### **Patrol Rifle Deployment**